

REMARKS

Summary

Claims 1-6, 10-36, and 38-52 were pending. In the present response, claims 1, 15, 18, 21, 25, 30, 35, 39, 44, 47-49, 51, and 52 are amended. No new matter has been added.

Accordingly, claims 1-6, 10-36, and 38-52 are pending and under consideration.

Examiner Interview Summary

Applicant thanks the Examiner for the courtesies extended to Applicant's representative during an August 7, 2009, telephonic interview during which the outstanding rejections were discussed. In particular, the distinctions of claims 1 and 15 over Marchisio and Niemi were discussed. Examiner Chankong agreed that clarifying the "user-defined list" recited in claim 15 (and other claims) as a "user-populated list" would overcome the cited art. Applicants' further record of the substance of the interview is embodied in the remarks below.

Rejections Under 35 USC 101

Claims 47 and 48 were rejected under 35 USC 101 as directed to non-statutory subject matter. The Office Action states that the means identified in claims 47 and 48 are interpreted as directed to software. Although portions of the Specification refer to a browser as facilitating certain portions of the method, such a browser is necessarily operated by a computing device. As illustrated in Figure 7, and the associated text beginning on page 12, an exemplary client system or server system may include various components for practicing the invention, including processors, memory, etc. Claims 47 and 48 have been amended to more directly recite "processing means" to avoid the potential ambiguity. Applicant thus respectfully requests reconsideration and withdrawal of the rejections.

Rejections Under 35 USC 103

Claims 1-6, 10, 11, 18, 21, 22, 25-27, 30-32, 35, 36, 39-41, and 47-50

Claims 1-6, 10, 11, 18, 21, 22, 25-27, 30-32, 35, 36, 39-41, and 47-50 were rejected under 35 USC 103(a) over Niemi in view of Marchisio and Kohli. Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

As noted above, and as discussed in the Examiner Interview, claim 1 incorporates the feature of a “user-populated list” in the context of the additional features of the claim. Such a feature is not taught or suggested by the cited art. In the August 7, 2009, Examiner Interview, Examiner Chankong agreed that the references do not teach or suggest such a feature.

As noted previously, the system in Marchisio provides a fully automated system for generating a dynamic lexical knowledge base and an information matrix. As such, the system of Marchisio provides that related terms are identified based on a compilation method and the use of complicated algorithms that are the core of that invention. Such a system is in contrast to one permitting the generation of a “user-populated list established prior to the retrieving and displaying of the first information page” such as recited in claim 1, which does not have to strictly comply with the algorithm or the statistical methodology of Marchisio.

For at least this reason, Applicant respectfully submits that the combination of Niemi, Marchisio, and Kohli fails to teach or suggest all of the elements of amended claim 1 and that claim 1 is therefore patentable over the cited references.

Independent claims 18, 21, 25, 30, 35, 39, 44, 47, and 49 contain language similar to that of claim 1 and thus are patentable over the cited references for at least the same reasons as claim 1.

Claims 1-6, 10-17, 19, 20, 22-24, 26-29, 31-34, 36, 38, 40-43, 45, 46, 48, and 50 are dependent on claims 1, 18, 21, 25, 30, 35, 39, 44, 47, and 49 and thus are

patentable over the cited references for at least the same reasons discussed above.

Claims 12-17, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42

Claims 12-17, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 were rejected under 35 USC 103(a) over Niemi in view of Marchisio and Kohli, in further view of Finseth. Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

Claims 12-14, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 depend from claims 1, 18, 21, 25, 30, 35, and 39, respectively. As discussed above, Applicant submits that claim 1 is patentable over the combination of Niemi, Marchisio, and Kohli. Finseth fails to remedy the above-cited deficiencies of Niemi, Marchisio, and Kohli. Thus, for at least the reasons cited above in relation to claim 1, Applicant submits that claims 12-14, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 are patentable over the cited references.

Independent claim 15 is patentable over Niemi, Marchisio, Kohli for the reasons noted above. Further, claims 16 and 17 depend from claim 15. Finseth fails to remedy the above-cited deficiencies of Niemi, Marchisio, and Kohli. Thus, for at least the same reasons noted above, Applicant respectfully submits that claims 15-17 are patentable over the combination of Niemi, Marchisio, Kohli, and Finseth.

Claim 43

Claim 43 was rejected under 35 USC 103(a) over Niemi, Marchisio, and Kohli in further view of Hoyle. Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

Claim 43 depends from claim 1 and thus is patentable over the combination of Niemi, Marchisio, and Kohli for at least the reasons discussed above. Hoyle fails to remedy the above-cited deficiencies of Niemi, Marchisio, and Kohli. Thus, for at least the reasons cited above in relation to claim 1, Applicant submits that claim 43 is patentable over the cited references.

Claims 44-46

Claims 44-46 are rejected under 35 USC 103(a) over Niemi in further view of Marchisio. Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

Independent claim 44 is patentable over Niemi, Marchisio, Kohli for the reasons noted above. Further, claims 45 and 46 depend from claim 44. Thus, for at least the same reasons noted above, Applicant respectfully submits that claims 44-46 are patentable over the combination of Niemi and Marchisio.

Conclusion

In view of the foregoing, Applicant respectfully submits that the claims are in condition for allowance and early issuance of the Notice of Allowance is respectfully requested.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 796-2844. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
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